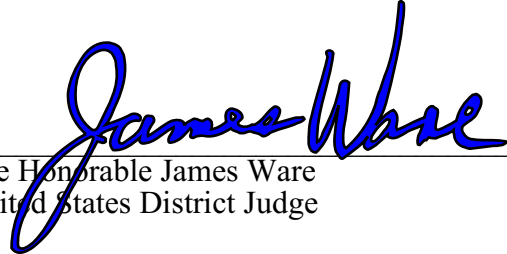


1 **IT IS SO ORDERED.**

2
3 DATED: Jan 3, 2007


The Honorable James Ware
United States District Judge

PROOF OF SERVICE

1013A(3) CCP Revised 5/1/88

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 100 Pacifica, Suite 210, Irvine, California 92618.

On December 28, 2006, I served the following document described as: **[PROPOSED] ORDER GRANTING DEFENDANTS EX PARTE APPLICATION FOR PERMISSION TO FILE REPLY MEMORANDUM IN EXCESS OF 15 PAGES** by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

[X] BY ELECTRONIC MAIL TRANSMISSION: I caused a PDF format copy of said document(s) to be transmitted via electronic mail to the person(s) at the e-mail address(es) set forth herein.

Allen Ruby aruby@rubyschofield.com

Glen Schofield gschofield@rubyschofield.com

Steven A. Ellenberg sellenberg@rubyschofield.com

Gary R. Selvin gselvin@selvinwraith.com

[X] Federal I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Execute December 28, 2006, at Irvine, California.

/s/

Holly Tornay